

IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

EDUARDO GARCIA and JULIA GARCIA,

Plaintiffs,

v.

WELLS FARGO BANK, N.A.,

Defendant.

Case No. 1:20-cv-02402

Hon. Rebecca R. Pallmeyer

ORAL ARGUMENT REQUESTED

**DECLARATION OF SHAWN R. OBI IN SUPPORT OF DEFENDANT'S
MOTION FOR PROTECTIVE ORDER STRIKING PLAINTIFFS' RULE 30(b)(6)
DEPOSITION NOTICE**

I, Shawn R. Obi, hereby declare as follows:

1. I am an attorney licensed to practice in the State of California, have been admitted *pro hac vice* in the State of Illinois, and am a partner with Winston & Strawn LLP, counsel for Defendant Wells Fargo Bank, N.A. (“Defendant” or “Wells Fargo”) in the above-captioned matter.

2. On February 9, Wells Fargo agreed that Plaintiffs may use deposition transcripts from *Hernandez v. Wells Fargo* (No. 3:18-cv-7354-WHA, N.D. Cal.), as well as documents and exhibits produced by Wells Fargo in that case. In exchange for that agreement, Plaintiffs agreed that they would not seek to re-depose the same witnesses or seek testimony on any topic that was covered by prior Rule 30(b)(6) testimony in *Hernandez*.

3. On April 21, 2022, Plaintiffs served seven deposition notices on Wells Fargo, including a Rule 30(b)(6) notice. **Exhibit 1** is a true and correct copy of Plaintiffs' 30(b)(6) notice, served on April 21, 2022.

4. On April 26, 2022, the parties met and conferred over a number of discovery issues, including the 30(b)(6) topics.

5. On April 29, 2022, the parties met and conferred for a second time.

6. On May 1, 2022, Plaintiffs served an amended notice that included 23 topics.

Exhibit 2 is a true and correct copy of Plaintiffs' amended notice, served on May 1, 2022.

7. On May 3, 2022, the parties met and conferred for a third time on the 30(b)(6) topics.

8. On May 5, 2022, Plaintiffs served a further amended Notice that included 31 topics and 24 sub-topics. **Exhibit 3** is a true and correct copy of Plaintiffs' further amended notice, served on May 5, 2022.

9. On April 26 and May 3, 2022, Plaintiffs agreed during a meet and confer that Wells Fargo is not required to educate a witness on Topic Nos. 1-4 of the notice of 30(b)(6) deposition.

10. **Exhibit 4** is a true and correct copy of various consent decrees from 2011, 2013, 2015, 2018, and 2021 highlighted by Plaintiffs and provided to Wells Fargo on May 3, 2022.

11. **Exhibit 5** is a true and correct copy of the notice of 30(b)(6) deposition from *Hernandez*.

12. **Exhibit 6** is a true and correct copy of excerpts from the deposition transcript of Wells Fargo executive Carmen Bell in *Hernandez*.

13. **Exhibit 7** is a true and correct copy of the forbearance agreement offered to Plaintiffs in 2009 and denial letter.

I hereby declare under the penalty of perjury that the foregoing statements made by me are true and correct.

Dated: May 12, 2022

/s/ Shawn R. Obi
Shawn R. Obi

Certificate of Service

The undersigned, an attorney, hereby certifies that on the 12th day of May, 2022, the foregoing Declaration of Shawn R. Obi in Support of Defendant's Motion For Protective Order Striking Plaintiffs' Rule 30(B)(6) Deposition Notice was filed electronically with the Clerk of the Court for the United States District Court for the Northern District of Illinois, and was served by operation of that Court's electronic filing system on all parties of record.

Dated: May 12, 2022

/s/ Shawn R. Obi
Shawn R. Obi